

**Amendments to the Drawings:**

The attached sheet of drawings include changes to FIG. 2. This sheet replaces the original sheet including FIG. 2.

Attachment: Replacement Sheet

## REMARKS

Claims 1-7 are pending in the present application. None of the claims have been amended in this response.

The drawings were objected to for dark shading in FIG. 2. In light of the presently submitted amendments to the drawings, Applicants respectfully submit the objections have been addressed. Withdrawal of the objection is earnestly requested.

Claims 1-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Sundaram et al.* (U.S. Patent No. 6,564,341). Applicants traverse this rejection. Favorable reconsideration is respectfully requested.

Specifically, the cited art does not disclose “storing a third value, for indicating who initiated a respective last change, in the agent; storing a copy of each of the first, second and third values for each data copy in the manager; comparing the copy of the first, second and third values stored in the manager with the respectively associated first, second and third values stored in the agent; and synchronizing each data copy, whose copies of the first, second and third values stored in the manager do not match the associated first, second and third values stored in the agent, to the associated data unit stored in the agent.” as recited in claim 1 and similarly recited in claims 6 and 7. The present claims recite a configuration where correct synchronization can be obtained when, for example a primary manager (M1) has at least one backup manager (M2) associated with it in addition to a backup/restore system.

In contrast Sundaram discloses fault monitoring in an unreliable network transport environment, where an element manager of the system is adapted for formulating and sending notifications through the unreliable network transport environment, and each notification having a unique transmitted notification serial number (TxNSN) (see Abstract). A network manager is operatively connected for bi-directional communication with the element manager. The network manager includes a detection mechanism responsive to notifications received from the element manager to detect a missing notification on the basis of the respective TxNSNs of received notifications; and a polling mechanism responsive to detection of a missing notification to send a polling request to the element manager for transmission of a response containing data related to the missing notification (see col. 15, line 14 – col. 16, line 8).

In the disclosure of Sundarm, the document teaches that the first and second values are stored in the agent (FIG. 4, ref. 22), however, Sundarm is silent regarding storing a *copy* and synchronizing the values to copies and claimed in the present application. Sundarm discloses the transmitting of polling requests that time out with no response, in which case an NMS 12 may be programmed to wait a few minutes and retry to determine if there is a persistent link problem. Once the NMS 12 determines that there is a communications loss problem, it can operate on the basis that all of the faults-related data previously communicated by the EMS agent 6 is no longer accurate. As a result, the NMS 12 changes all of the NEs 4 in the EMS domain 8 to "unknown" status and clears all outstanding alarms. The NMS 12 continues to send polling requests at a predetermined frequency, and, during this cycle, if the polling requests come back with appropriate responses, the NMS 12 determines that the communications loss problem with the EMS agent 6 has been resolved, and restores the current NE 4 data in the NMS-MIB 16 by polling the EMS-MIB 10 (col. 15, lines 19-39). In other words, Sundarm has an initial value stored, that is subsequently cleared if the polling indicates a link problem. However, Sundarm does not disclose synchronizing to copies of the values.


Furthermore, as the Office Action indicated, Sundarm does not disclose a third field of data. Contrary to the Examiner's assertion that the third data "is not functionally related," the present claims also recite comparing the copy of the first, second and third values stored in the manager with the respectively associated first, second and third values stored in the agent; and synchronizing each data copy, whose copies of the first, second and third values stored in the manager do not match the associated first, second and third values stored in the agent, to the associated data unit stored in the agent. Applicants submit that these limitations are indeed functional and that Sundarm fails to teach these features.

In light of the above, Applicant respectfully submits that the rejection under 35 U.S.C. §103 is improper, and independent claims 1, 6 and 7 of the present application, as well as claims all claims which respectfully depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

A petition for a one-month extension of time, along with a check in the amount of \$120 is enclosed herein. As July 23, 2005 fell on a Saturday, no further extensions are required. If any fees are due in connection with this application as a whole, the office is hereby authorized to deduct said fees from Deposit Account No.: 02-1818. If such a deduction is made, please indicate the Attorney Docket Number (0112740-515) on the account statement.

Respectfully submitted,

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